



Docket No.: 55859-024

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Steven E. ROKITA, et al.

Application No.: 10/019,655

I.A. Filing Date: July 3, 2000

Art Unit: To Be Assigned

Examiner: To Be Assigned

For: NICKEL-BASED REAGENTS FOR DETECTING DNA AND DNA-PROTEIN
CONTACTS

**RESPONSE TO NOTIFICATION
OF MISSING REQUIREMENTS**

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the
United States Designated/Elected Office (DO/EO/US) dated March 6, 2002 (copy enclosed),
submitted herewith are the following documents for filing in the above-referenced application:

1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
2. Three Month Petition for Extension of Time (Small Entity Filing Fee of \$460.00)
3. PTO Form 1390 (Second Submission)
4. Information Disclosure Statement and PTO Form 1449

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R.

1.136. Please charge any shortage in small entity fees due in connection with the filing of this

paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

It is requested that the official filing receipt now be issued.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. F. Gadiano', with a long horizontal flourish extending to the right.

Willem F. Gadiano
Registration No. 37,136

MCDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, DC 20005-3096
(202)756-8000 WFG:dmd
Facsimile: (202) 756-8087

Date: August 6, 2002

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

55859-024

U.S. APPLIC. NO. (if known, see 37 CFR 1.5)

10/019,655

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/US00/18325

03 JULY 2000

01 JULY 1999

TITLE OF INVENTION

NICKEL-BASED REAGENTS FOR DETECTING DNA AND DNA-PROTEIN CONTACTS

APPLICANTS FOR DO/EO/US

Steven E. ROKITA and Cynthia J. BURROWS


Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau (see PCT/IB/308).
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau (see PCT/IB/346).
 - c. ☐ have not been made; however, the time limit for making such amendment has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information.

1. Three Month Petition for Extension of Time (Small Entity Filing Fee of \$460.00)

U.S. APPLIC. NO. (if known, see 37 CFR 1.50) 10/019,655		INTERNATIONAL APPLICATION NO. PCT/US00/18325		ATTORNEY'S DOCKET NUMBER 55859-024	
				CALCULATIONS	PTO USE ONLY
17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$890.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) \$710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$740.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				<div style="text-align: right;">\$ 0.00</div>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
Claims	Number Filed	Number Extra	Rate		
Total Claims	25 -20 =	5	x \$18.00	\$ 0.00	
Independent Claims	4 -3 =	1	x \$84.00	\$ 0.00	
Multiple dependent claim(s) (if applicable)			+ \$280.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00	
SUBTOTAL =				\$ 0.00	
Processing fee of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00	
TOTAL FEES ENCLOSED =				\$0.00	
				Amount to be: refunded	\$
				charged	\$ 0.00
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>500417</u> in the amount of \$ <u>0.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500417</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Willem F. Gadiano, Esq. McDERMOTT, WILL & EMERY 600 13 th Street, N.W. Washington, DC 20005-3096 (202) 756-8373 Facsimile (202) 756-8087				SIGNATURE  Willem F. Gadiano NAME 37,136 REGISTRATION NUMBER 06 AUGUST 2002 DATE	



U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/019,655	Steven E Rokita	55859-024

INTERNATIONAL APPLICATION NO.

PCT/US00/18325

I.A. FILING DATE	PRIORITY DATE
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07/03/2000

Willem F Gadiano
McDermott Will & Emery
600 13th Street N W
Washington, DC 20005-3096

RECEIVED

MAR 1 1 2002

McDermott, Will & Emery

CONFIRMATION NO. 5726

371 FORMALITIES LETTER



OC000000007549740

Date Mailed: 03/06/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/019,655	PCT/US00/18325	55859-024

FORM PCT/DO/EO/905 (371 Formalities Notice)